

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

POSITIVE TECHNOLOGIES, INC.

Plaintiff,

v.

BENQ AMERICA CORP., FUJITSU  
GENERAL AMERICA, INC., JVC  
AMERICAS CORP., MITSUBISHI  
DIGITAL ELECTRONICS AMERICA,  
INC., NEC DISPLAY SOLUTIONS OF  
AMERICA, INC., PANASONIC CORP. OF  
NORTH AMERICA, PHILIPS  
ELECTRONICS NORTH AMERICA  
CORP., PROVIEW TECHNOLOGY, INC.,  
REGENT U.S.A., INC., SAMSUNG  
ELECTRONICS AMERICA, INC., SHARP  
ELECTRONICS CORP., TOSHIBA  
AMERICA CONSUMER PRODUCTS,  
L.L.C., AND V, INC.,

Defendants.

CASE NO. 2:07-CV-67-TJW  
Jury Trial Demanded

**ORDER OF DISMISSAL WITHOUT PREJUDICE**

On this day, Plaintiff Positive Technologies, Inc. ("Positive") and Defendant Fujitsu General America, Inc. ("Fujitsu") requested the Court to dismiss all claims asserted between them in this case. The Court, having considered this request, is of the opinion that their request for dismissal should be GRANTED.

IT IS THEREFORE ORDERED that the above-entitled cause and all claims for relief asserted against Fujitsu by Positive and against Positive by Fujitsu herein are dismissed without prejudice to the re-filing of same.

IT IS FURTHER ORDERED that all attorneys' fees, costs of court, and expenses shall be borne by each party incurring the same.

SIGNED this 29th day of October, 2007.

  
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T. JOHN WARD  
UNITED STATES DISTRICT JUDGE